

has been exercised to avoid the introduction of new matter. A clean copy of the paragraphs affected by the present amendment appears in Appendix A hereto.

In an Office Action dated March 23, 2001 issued in the parent application, claims 1 through 20 were rejected under 35 U.S.C. §103 for obviousness predicated upon U.S. Patent No. 6,046,104 issued to Kepler (the '104 Patent) in view of Solis. This rejection is not applicable to the present claims. Specifically, Kepler issued on April 4, 2000 on an application filed May 15, 1998, subsequent to the February 4, 2000 filing date of the present application. Accordingly, Kepler is prior art by virtue of 35 U.S.C. §102(e). According to 35 U.S.C. §103(c), subject matter developed by another person which qualifies as prior art under 35 U.S.C. §102(e) shall not preclude patentability under 35 U.S.C. §103 where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

The present application and the '104 Patent to Kepler are both assigned to Advanced Micro Devices, Inc. (AMD). The assignment of the present application to AMD was recorded on February 4, 2000 and appears at Reel 010636, Frame 0269. The assignment to AMD of the application underlying the '104 Patent to Kepler was recorded on May 15, 1998 and appears at Reel 9229, Frame 0133. The now claimed invention and the application underlying the '104 Patent to Kepler were owned by or subject to an obligation of assignment to the same person, i.e., AMD, at the time the now claimed invention was made.

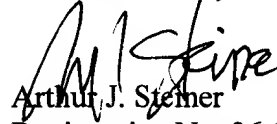
Applicants, therefore, submit that the rejection under 35 U.S.C. §103 imposed in the

parent application is not applicable to the present claims and that all pending claims are in condition for immediate allowance. Accordingly, favorable consideration is solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



Arthur J. Steiner
Registration No. 26,106

600 13th Street, N.W.
Washington, DC 20005-3096
(202) 756-8000 AJS:lrd
Date: June 22, 2001
Facsimile: (202) 756-8087

APPENDIX A

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the specification

Paragraph beginning under heading "RELATED APPLICATION" has been amended as follows:

This application contains subject matter similar to subject matter disclosed in copending U.S. Patent Application Serial No. [] 09/498,335 filed on February 4, 2000 [] (our Docket No. 52352-371)].